

## ATTACHMENT A

### The Law

The Federal Office of Civil Rights (OCR) has informed DHR that it must take action to clearly communicate, and provide accommodations to disabled customers that ensure equal access to program services and activities. OCR sent the instructions in response to verified complaints from customers who did not receive accommodations they were entitled to under law at local DSS offices.

We have updated printed materials and Basic Training to clearly communicate the availability of reasonable accommodations for individuals with disabilities. We also must emphasize important actions your office must take in order to be compliant with federal standards.

The Americans with Disabilities Act (ADA) provides a broad definition of disability. Under ADA there are three definitions of disability:

- (1) Impairments that substantially limit major life activities. This disability definition applies to what most people think of when they think about a disability, such as: **seeing, hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself, and working.**

Individuals with epilepsy, paralysis, HIV infection, AIDS, a substantial hearing or visual impairment, mental retardation and other specific learning disabilities are covered.

- (2) The second definition includes people who have a record of disability such as but not limited to those who are recovered from cancer or a mental illness or other such illness or disease. This also covers people in remission from a disease or those who have flare ups of diseases but otherwise can usually function well on a day to day basis.

This coverage includes people with illnesses such as cancer, multiple sclerosis or diabetes who may be recovered, in remission or currently undergoing treatment.

- (3) The third definition protects individuals who are regarded as having a substantially limiting impairment even though they may not have impairment.

This third definition covers many people. An individual may have suffered a severe facial disfigurement in an accident or in combat. Employers may not deny employment to an individual qualified to perform a job because the employer fears the "negative reactions" of customers or co-workers who see the disfigurement.